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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EVELYN GAINES, individually and as mother and
natural guardian of TYLER GAINES,

DEMAND FOR
TRIAL BY JURY

Plaintiffs,

'08 CIV 4229

-against-

Judge Berman

DISTRICT COUNCIL 1707 HEALTH AND INSURANCE
FUND, DISTRICT COUNCIL 1707 HEALTH AND BENEFIT
FUND and THE BOARD OF TRUSTEES OF THE
DISTRICT COUNCIL 1707 HEALTH AND INSURANCE
FUND,

Defendants.

-----x

SIRS:

Pursuant to Federal Rule of Civil Procedure 38, plaintiff hereby
demands a trial by jury with respect to all issues of fact.

Dated: New York, New York
May 7, 2008

GAIR, GAIR, CONASON,
STEIGMAN & MACKAUF

By:

Anthony H. Gair (AHG5408)

Attorneys for Plaintiffs
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80 Pine Street
New York, NY 10005
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To: CAMPBELL & ASSOCIATES, PC
Attorneys for Defendant (s)
DISTRICT COUNCIL 1707 HEALTH AND INSURANCE
FUND, DISTRICT COUNCIL 1707 HEALTH AND BENEFIT
FUND and THE BOARD OF TRUSTEES OF THE
DISTRICT COUNCIL 1707 HEALTH AND
INSURANCE FUND
99 Tulip Avenue, Suite 404
Floral Park, NY 11001

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) SS.:
COUNTY OF NEW YORK)

I, Jazmin Parra, being sworn says. I am not a party to the action, am over 18 years of age and reside in Queens Village, New York.

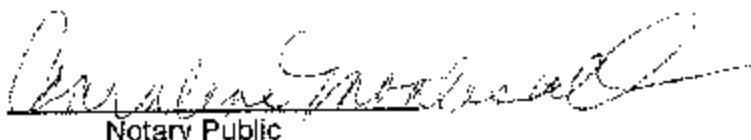
On May 9, 2008, I served a true copy of the annexed **Demand For Trial By Jury** by mailing the same in a sealed envelope, with postage prepaid thereon, in an official depository of the U.S. Postal Service with the State of New York, addressed to the last known address of the addressee(s) as indicated below:

TO: CAMPBELL & ASSOCITES, P.C.
99 Tulip Avenue, Suite 404
Floral Park, New York 11001



Jazmin Parra

Sworn to before me on
May 9, 2008



Notary Public

CAROLINE MONTESEDECA
Notary Public, State of New York
No. 01-MN-0007523
Certificate issued in Queens County
Commission Expires April 12, 2010